

U.S. Department of Justice



*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 18, 2019

BY ECF

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States v. Mark S. Scott,*
S6 17 Cr. 630 (ER)**

Dear Judge Ramos:

The Government writes to respectfully request that the Court order the disclosure of the defendant's list of clients represented by the defendant and the attorneys who represented the defendant (collectively, the "Attorney and Client List"). As set forth in the Government's letter to the Court on March 8, 2019, and discussed at the last court conference, the Attorney and Client List does not contain potentially privileged information and withholding the list from the prosecution team is impeding the privilege review and the Government's access to the documents. *See Vingelli v. United States*, 992 F.2d 449, 454 (2d Cir. 1993); *In the Matter of Search Warrants Executed on April 9, 2018*, 18 Mag. 3161 (KMW), Apr. 16, 2018 Tr. (Dkt. No. 104) at 28. The Privilege Review team has attempted to negotiate the disclosure of the Attorney and Client List but was advised by the defense this morning that that it is not inclined to disclose any of the defendant's clients nor any of the defendant's attorneys at this time without an order from the Court. Because this issue is material to the trial date, the Government expects to address this issue at today's conference and has requested that the Privilege Review Team email the Attorney and Client List to the Court, requested to be filed under seal, in advance of today's conference to aid

the Court's consideration of this issue.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: _____ /s/
Christopher J. DiMase / Nicholas Folly/
Julieta V. Lozano
Assistant United States Attorneys /
Special Assistant United States Attorney
(212) 637-2433 / (212) 637-1060/
(212) 335-4025

Cc: David Garvin, Esq.
James Nobles, Esq.